

# MANDATE

S.D.N.Y.- N.Y.C.  
08-cv-2106  
Wood, C. J.

## United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 29<sup>th</sup> day of May , two thousand eight,

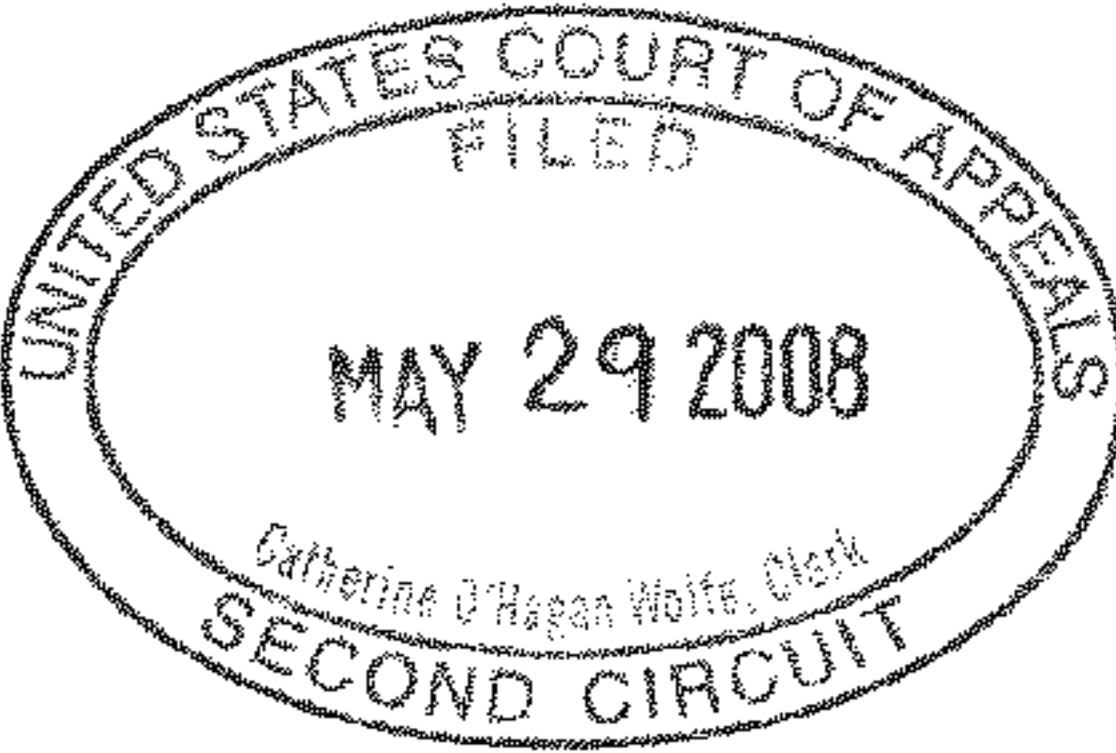
Present:

Hon. Amalya L. Kearse,  
Hon. Guido Calabresi,  
Hon. Robert D. Sack,  
*Circuit Judges.*

Waldemar Malkowitsch,

*Plaintiff-Appellant,*

v.



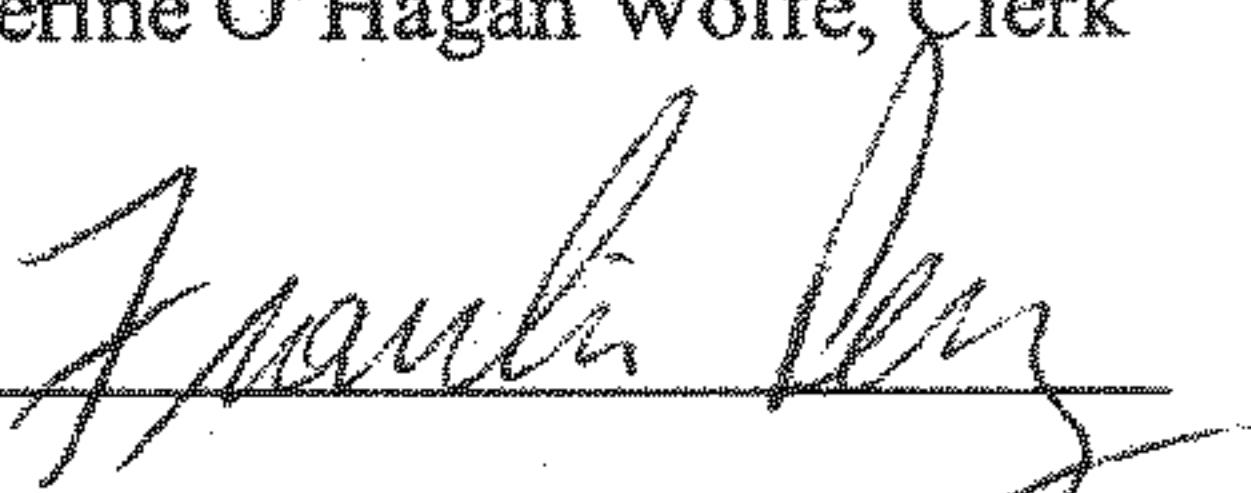
08-1473-cv

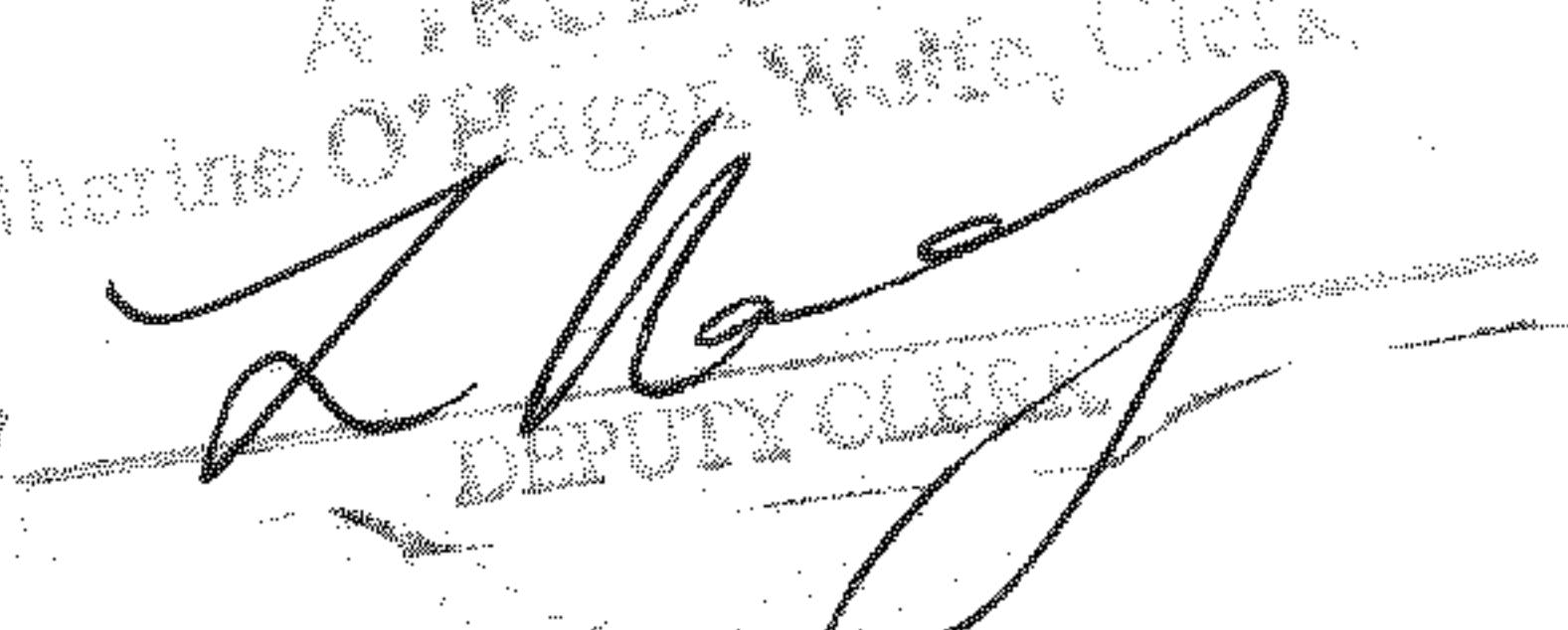
U.B.S. AG, et al.,

*Defendants-Appellees.*

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

By: 

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by 

DEPUTY CLERK

SAO-MKW

Mandate issued: 6/19/08